

S/N: 10/ 657,293

Page 9

Docket : TIC03-001

Reply to the Office action dated 04/25/05

Remarks/Arguments

Examiner Legesse is thanked for the thorough Office Action.

Election/Restriction

Applicant acknowledges the final of the requirement of with respect to the applicant's election of the invention Group I claims 1-13.

Applicant canceled non-elected claims 14-24. These claims will be prosecuted in a division patent application at a later date.

IN THE CLAIMS

The claims are amended. No new matter is added.

Applicant canceled 11 total claim and 2 parent claims. Applicant added total of 8 new claims of which 2 are new parent claims. Therefore no fees are due.

Claim 1 is amended to add "said alignment segment is comprised of a line segment;" For support see Figure 1, 102 102A, spec. p. 10, lines 4 to 7; See figure 2, 102 (one line segment), spec p.11, LL 6 - 11.

Claim 1 is amended to add said light apparatus mounted on a support; For support see figure 1; See spec pages 8-10.

Claim 2 is amended. For support see figure 1 and the accompanying text in the spec; See spec pages 8-10.

Claim 3 is amended. For support see figure 1. See Spec. p. 9, LL 26-28.

Claims 4 and 5 are amended to correct typographical errors.

Claim 6 is amended. For support see figs 5A, 5b and 5C; See spec pp. 12-13.

Claim 7 is amended. For support see figures 5A, 5B and 5C. See specification p. 13, 18 - 23.

Claim 8 is amended. For support see figures 1 and 2.

Claim 9 is amended. For support see figure 1 and the accompanying text in the spec.

S/N: 10/ 657,293
Docket : TIC03-001
Reply to the Office action dated 04/25/05

Page 10

Claim 11 is amended For support see figure 1 and the accompanying text in the spec.

Claim 12 is amended. For support see figure 1 and the accompanying text in the spec.

Claim 13 is amended. for support see fig 1.

Claims 14-24 are canceled for restriction requirement. (total 11 claims -- of which 2 are parent claims).

New claim 25 is added. For support see figure 1 and the accompanying text in the spec.

New claim 26 is added. For support see figure 7 and the accompanying text in the spec.

New parent claim 27 is added. For support see claims 1-12.

New claim 28 is added. For support see figures 5A, 5B and 5C. See specification p. 13, 18 -- 23.

New claim 29 is added. For support see figures 3A, 3B and 3C and accompanying text in Spec. p. 11, LL 13-26.

New Claims 30 and 31 is added. For support see figures 1 and 7.

New parent claim 32 is added. For support see figure 1. See claim 1. See spcc pp. 8-11.

No new matter is added.

Unless specifically stated, the claims are not amended to overcome prior art and are amended to more clearly claim the invention.

CLAIM REJECTIONS - 35 USC § 112

Rejections of Claims 1-13 under 35 U.S.C.112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The rejections of Claims 1-13 under 35 U.S.C.112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which

S/N: 10/ 657,293
Docket : TIC03-001
Reply to the Office action dated 04/25/05

Page 11

applicant regards as the invention is acknowledged. Reconsideration and withdrawal of the rejection is respectfully requested in view of the amendments.

The Office action on page 2 states:

In claims 1, 11, and 12, it appears that applicant is claiming just a single light device. From Fig. 7 of the instant application it is clear that two laser diodes (710 and 716) are used in the embodiment disclosed. However, it is not clear how a single light as claimed in the claims would project to provide both the alignment and aiming spot because page 15 lines 4-9 does not clearly disclose how a single laser could be used by splitting its beam.

The specification on page 15, lines 4-9 state:

Although Figure 7 shows a light apparatus comprised of two laser diodes and a specific optical implementation, This aspect is not limited to the configuration shown in figure 7. The embodiment can provide a coplanar alignment segment and an aiming spot in many ways. For example, a single laser could be used by splitting its beam and then generating a segment from one split beam and a spot from the other. Although, specific optics are shown this embodiment does not rely a specific optic implementation.

The term "beam splitter" is a common term known to those skilled in the art to be a device that splits a beam of light into two or more beams. For example see the entry of "beam splitter" on the Wikipedia website (2005-06-10)

http://en.wikipedia.org/wiki/Beam_splitter below

Wikipedia
beam splitter

A **beam splitter** is an optical device, that splits a beam of light in two. It is the crucial part of most interferometers.

In its most common form, it is a cube, made from two triangular glass prisms which are glued together at their base using canada balsam. The thickness of the resin layer is adjusted such that (for a certain wavelength) half of the light incident through one "port" (i.e. face of the cube) is

S/N: 10/ 657,293

Page 12

Docket : TIC03-001

Reply to the Office action dated 04/25/05

reflected and the other half is transmitted.

Another possible design is the use of a "half-silvered mirror". This is a plate of glass with a thin coating of silver (usually deposited from silver vapour) with the thickness of the silver coated such that of light incident at a 45 degree angle, one half is transmitted and one half it reflected. Instead of a silver coating, a dielectric optical coating may be used instead.

A third version of the beam splitter is a dichroic mirrored prism assembly that splits the incoming light into three beams, one each of red, green and blue. Such a device was used in multi-tube colour television cameras and also in the 3 film Technicolor movie cameras.

From http://en.wikipedia.org/wiki/Beam_splitter

Therefore, the applicant's embodiments can use a beam, from a single light source, that passes thru a "beam splitter" to create a first beam and a second beam. The first beam could pass thru a "beam spreader" (see fig 7, 720) to create a beam "alignment segment". See specification p. 15, lines 4-9.

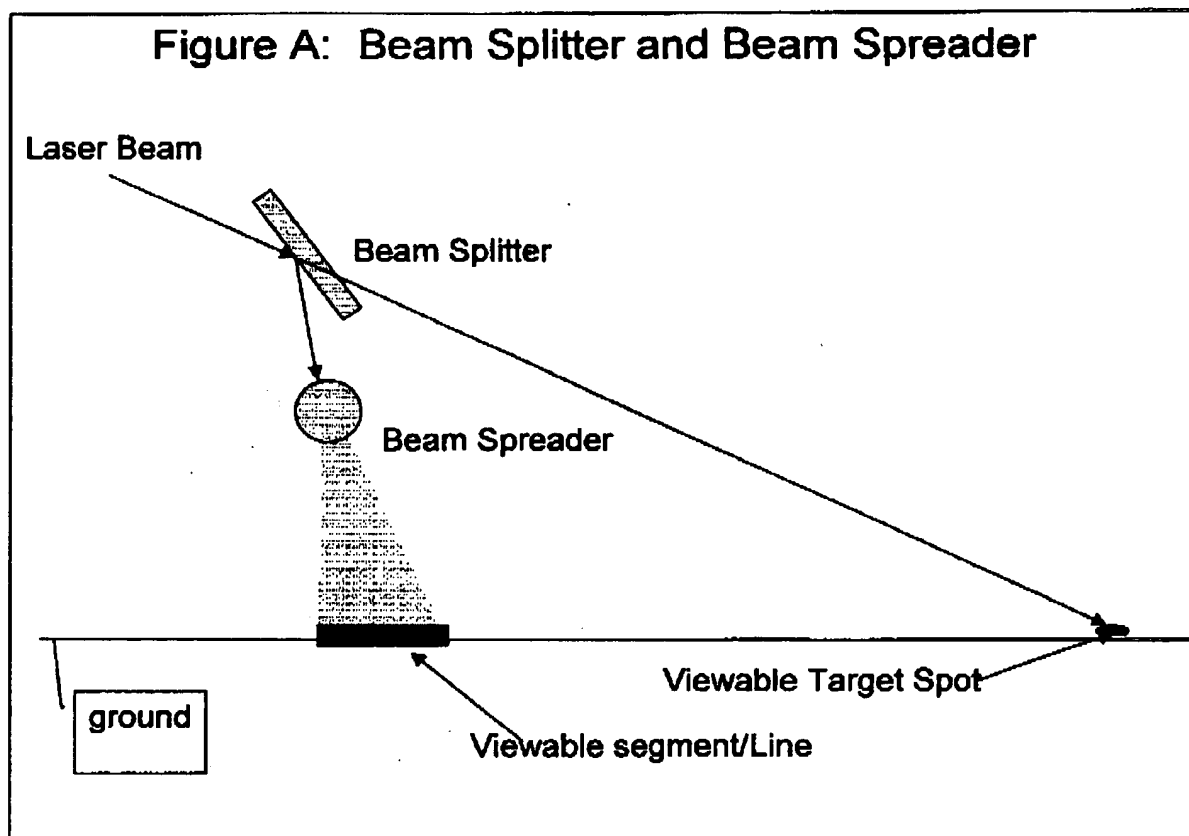
S/N: 10/ 657,293

Page 13

Docket : TIC03-001

Reply to the Office action dated 04/25/05

Below and in the appendix is a non-limiting example figure A showing a beam splitter that splits light beam into 2 beams. The figure also shows a beam spreader than spreads a light beam into an "alignment segment".



CLAIM REJECTIONS - 35 USC § 102

Rejection of Claims 1-5, 8, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by flashlights.

The rejection of Claims 1-5, 8, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by flashlights is acknowledged.

S/N: 10/ 657,293

Page 14

Docket : TIC03-001

Reply to the Office action dated 04/25/05

The office action states:

With regards to claims 1, 3 and 11, any type of flashlights would meet the claimed light apparatus. Regarding the intended use set forth in the *preamble*, any plurality of flashlights that could be considered as a first and second light sources inherently are capable of being used for golf and provide a projection of an alignment segment and an aiming spot. Applicant is not claiming a process. See MPEP 21112. Applicant is claiming nothing more than a couple of flashlights.

Un-amended claim 1 is non-obvious over flashlights.

Applicant respectfully argues that flashlights are not inherently capable (and “adapted to”) of projecting claim 1’s alignment segment. Flashlights project spots of light. Claim 1 claims a “alignment segment” which is more than mere a “spot” projected by a flashlight(s).

In addition, there is no motivation to configure the prior art flashlights to meet claim 1. No prior art suggests applicant’s claim 1. Therefore un-amended claim 1 is non-obvious.

Amended claim 1 is not suggested by flashlights

Amend claim 1 states:

1. (CURRENTLY AMENDED) A golf putt training device comprising:

a light apparatus adapted to project an alignment segment and an aiming spot on a playing surface; said alignment segment is comprised of a line segment; said aiming spot is projected in front of a ball; said alignment segment is projected over said ball and a putter head;
said light apparatus mounted on a support;
whereby said alignment segment is used to align said putter head during a swing.

S/N: 10/ 657,293

Page 15

Docket : TIC03-001

Reply to the Office action dated 04/25/05

*** Claim 1's "line segment" is not suggested by flashlights**

Claim 1's limitation of "said alignment segment is comprised of a line segment;" is not suggested by flashlights. Examples of the alignment segment comprised of line segments is shown in figure 1 (line segment 102 comprised of line segments 102A and figure 2 (line segment 102 is one line segment).

Flashlights teach away from claim 1's "line segments" by projecting light spots or points that are distinctly different than claim 1's "line segments". Therefore claim 1 is non-obvious.

• Claim 1's limit "said light apparatus mounted on a support;" is not suggest by flashlights

Amended Claim 1's limit "said light apparatus mounted on a support;" is not suggest by "flashlights".

Amended Claim 2 is non-obvious

Amended claim 2 contains the following limitations:

2. (CURRENTLY AMENDED) The golf putting training device of claim 1 wherein said light apparatus is comprised of a first light source and a second light source; said first light source projects said alignment segment and said second light source projects said aiming spot;

said alignment segment and said aiming spot are about in a vertical plane:
said light apparatus and said support are not attached to a golf club or a golfer;
said light apparatus is not comprised of flash lights.

Claim 2 is non-obvious over the prior art.

Claim 3

Claim 3 is non-obvious because no prior art suggests projecting both the alignment segment and the aiming spot. See figure 1.

S/N: 10/ 657,293
Docket : TIC03-001
Reply to the Office action dated 04/25/05

Page 16

Claims 4, 5, 8, and 10 are non-obvious

The office action states:

With regards to claims 4, 5, 8, and 10, all these intended use limitations are inherently capable of being performed with a couple of flashlights depending how the flashlights are held and positioned by a user. See MPEP 21112.

Claims 4, 5, 8 and 10 are non-obvious because a couple of flashlights are not inherently capable of projecting a alignment segment and alignment spot.

Moreover, amended claims 8 and 10 have further non-obvious limitations.

Rejection of Claims 1, 2, 4 - 9, 12, and 13 under 35 U.S.C. 102(b) as being anticipated by English et al. (US Patent No. 5,472,204).

The rejection of Claims 1, 2, 4 - 9, 12, and 13 under 35 U.S.C. 102(b) as being anticipated by English et al. (US Patent No. 5,472,204) is acknowledged. Reconsideration and withdrawal of the rejection is respectfully requested in view of the amendments.

The office action states:

Claims 1, 2, 4 - 9, 12, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by English et al. (US Patent No. 5,472,204). With regards to claims 1 and 2, English discloses a light apparatus (66) adapted to project an alignment segment and an aiming spot on a playing surface (when referring to Fig. 6, the light at hole area 92 is considered as a spot light and the other segments 80B, 80C are considered as an alignment segment). Any of the four sequential light rays 80A, 80B, 80C, and 80D could be considered as a first light source and a second light source.

S/N: 10/ 657,293

Page 17

Docket : TIC03-001

Reply to the Office action dated 04/25/05

US 5, 472,204 states

Turning next to FIG. 6, the housing 66 is shown suspended in air (for simplicity), although it will be remembered that the housing will actually be affixed near the putter's grip. For the purpose of explaining operation of the apparatus, a generally vertical plane 90 has been illustrated as passing through three points: the housing 66, the center of a putter's head 28; and a target, e.g., the cup or hole 92 into which a golfer wishes to propel a golf ball. Another way of considering the plane 90 is to recognize that it may be described as being defined by the construction lines 80A, 80B, 80C and 80D. These four lines are provided to represent four sequential light rays that emanate from the generator 68 at four different times as the generator is rotated about axis 61. The first ray 80A extends downwardly from the generator 68 while the putter is being held with a generally upright orientation, and ray 80A passes through the center of the putter's head. The orientation of this first ray 80A is not by accident; it is deliberately arranged to be so by some preliminary installation steps that are typically taken by a golfer before he/she ever gets on the golf course. These installation steps will be described in a later portion of this specification.

Line 80B shows the position of an exemplary beam of light after the housing 66 has been manually rotated about arm 60 by a small angle. Such rotation is made possible by adjusting the tension in bolt 64 so that it is sufficient to hold the housing 66 in a stable manner with respect to clamp 34--while still permitting the housing to be selectively rotated. Line 80C shows the position of an exemplary light ray after the housing 66 has been rotated still further, and line 80D shows that a light ray can be made to pass through the target (i.e., the cup) when the housing is rotated by a sufficient amount and the putter is correctly oriented. If the putter were to be manually turned by a golfer in such a way that the head 28 is rotated slightly clockwise, then ray 80D would never intersect the cup; instead, it would pass to the right thereof. Similarly, if the putter is oriented incorrectly by being canted counterclockwise, then light ray 80D would miss the cup 92 to the left. It follows, therefore, that observing the relative position of light ray 80D with respect to the cup can convey information to a golfer as to whether the putter's head is being correctly held and oriented in the golfer's hands.

Of course, the light rays 80A, 80B, 80C and 80D may not be visible to a golfer on a brightly lit green. But the point of impact of these light rays with an opaque surface will be manifested as a series of dots 94A through 94C on the green's surface as the generator projects its light rays downwardly from the housing 66. These relatively small dots on the green are shown in FIG. 7, although it will be understood that all of the dots would not be visible at the same time. Only a single dot would be visible at any given time, but the sequence of their appearance is suggested in this figure as the putter is rotated by a golfer about a generally vertical axis. If the putter is not being held so that the head 28 is "square" with the cup 92, then one of the dots 94A or 94C will likely be manifested for the golfer. Rotating the putter in the correct direction (right or left, as the case may be) will eventually cause the light beam to

S/N: 10/ 657,293

Page 18

Docket : TIC03-001

Reply to the Office action dated 04/25/05

produce a spot indicated as spot 94B, and the front face of the putter's head will at that moment be exactly perpendicular to a construction line drawn between the hole 92 and the head 28.

English's housing 66 only projects a single beam of light. Therefore English does not read on Claim 1 's "alignment segment".

English does not suggest claim 1's "alignment segment" and "alignment spot" because English's housing 66 actually projects only one beam of light.

English col. 6, lines 11 to 14 state (Emphasis added):

The housing 66 holds a battery-operated generator of radiant energy 68, e.g., a diode laser, whose output is *manifested as a beam of light* that is focused through lens 70. A suitable generator 68 for practicing this invention is a small, light-weight diode laser that can produce a *narrowly focused beam of visible radiation* (i.e., light) at a wavelength of 670 nm.

English fig 6 shows a housing 66 mounted on a putter club (not shown, but specifically required, see col. 6, LL 42 - 45.) The housing 66 only projects one laser beam. Housing 66 does not project claim 1's "alignment segment or line segment". English's projected one point/spot of light, not applicant's claimed "line segment" of light. The office action erroneously confuses the path that the dot makes on the surface, with applicant's "projected line". The path (e.g., construction lines 80A 80B 8C and 80D) is the same laser spot beam viewed at different times (in sequence). A careful reading of English col. 6, L 42 to col. 7, L 36, discloses that English's housing 66 projects "only a single dot that would be visible at any give time". See Col. 7, lines 25 to 29.

The office action might be erroneously arguing that the path of the laser dot as the golfer swings the club and moves the housing 66 is analogous to the applicant's projected

S/N: 10/ 657,293
Docket : TIC03-001
Reply to the Office action dated 04/25/05

Page 19

“alignment segment”. However, this is clearly in error when since English’s housing is adapted to project only a laser dot (not a line segment) and the path the dot makes on the surface is not a “projected line”.

The office action argues that:

(when referring to Fig. 6, the light at hole area 92 is considered as a spot light and the other segments 80B, 80C are considered as an alignment segment).

Applicant respectfully points out that 80B and 80C are “dots of light” and do not exist simultaneously. English only projects a “dot of light”, not a “line segment of light”. See Col. 7, lines 25 to 29. In contrast, applicant’s “line segment” is simultaneous projected line segment. See claim 1, see figure 1.

Therefore English teaches against claim 1’s “alignment segment”.

The office action argues that:

Any of the four sequential light rays 80A, 80B, 80C, and 80D could be considered as a first light source and a second light source.

Applicant respectfully point out that light rays are “light”, not light sources. Light sources are sources that emit light (light rays). Therefore Claim 3 is non-obvious.

In addition, ray 80A, 80B, 80C, and 80D are one ray that is moved. Therefore only one ray is shown.

Claims 4, 5, and 8, are non-obvious

S/N: 10/ 657,293

Page 20

Docket : TIC03-001

Reply to the Office action dated 04/25/05

The office action argues:

With regards to claims 4, 5, and 8, the intended use limitation of the claims are inherently capable of being performed by adjusting the light housing 66 up and down on the shaft.

With regards to claim 8, the four lines as shown on Fig. 6 provide different segments and the line horizontal line between line 80A and SOB and the horizontal line between lines 80C and 80D is considered as disconnected line segments.

As stated above, English projects a dot of light, not a line or line segment.

Therefore claims 4, 5, and 8 are nonobvious.

Claims 6, 7, 9, 12, and 13

The office Action states:

With regards to claims 6, 7, 9, 12, and 13, the marks shown on the top surface of the putter in Fig. 8 are considered as an eye alignment device. The front and the rear vertical surfaces of the putter are considered as the vertical panels.

Amended claim 6 is non-obvious.

Claim 6 states:

6. (CURRENTLY AMENDED) The golf putt [putting] training device of claim 1 which further comprises: an eye alignment device positioned behind said ball under a portion of said alignment segment whereby said eye alignment device allows a [golf's] golfer's eyes to be maintained in the vertical plane over the ball; said eye alignment device is not attached or part of said putter head; said eye alignment device comprised of at least one vertical panel aligned about parallel with said alignment segment.

The new limitations are not suggested by the prior art. English teaches against claim 6 by showing a putter with a mark on top, not applicant's claim 6 eye alignment device.

S/N: 10/ 657,293

Page 21

Docket : TIC03-001

Reply to the Office action dated 04/25/05

Amended claim 7 is non-obvious

Amended claim 7 states:

7. (CURRENTLY AMENDED) The golf putt [putting] training device of claim 1 which further comprises: an eye alignment device positioned behind said ball and behind said putter head along said alignment segment; said eye alignment device is not attached or part of said putter head;
said eye alignment device comprised of two spaced about vertical panels and a trough; said trough formed by the inside surfaces of said vertical panels; *said eye alignment device positioned behind said ball with said alignment segment positioned between said vertical panels;* whereby said eye alignment device allows a [golf's] golfer's eyes to be maintained in the vertical plane over the ball.

The new limitations are not suggested by the prior art.

Amended claim 9 is non-obvious

Amended claim 9 is non-obvious for the reason give above.

Amended claim 12 is non-obvious

Amended claim 12 states : "said eye alignment device is not attached or part of said putter head. " This distinguishes over the prior art marks on the putter head.

As discussed above the new limitations are not suggested by the prior art. The previous limitations were not suggested by the prior art.

NEW CLAIMS ARE NON-OBVIOUS

New claim 25 is non-obvious

New claim 25 states:

25. (NEW) The golf putt training device of claim 1 wherein said light apparatus adapted

S/N: 10/ 657,293

Page 22

Docket : TIC03-001

Reply to the Office action dated 04/25/05

to simultaneously project said alignment segment and said aiming spot on said playing surface; said light apparatus and said support are not attached to or part of a golf club or a golfer.

No reference shows both a simultaneous alignment segment and aiming point.

New claim 26

New claim 26 states the following non-obvious limitations:

26. (NEW) A golf putt training device of claim 1 wherein said light apparatus is comprised of a beam spreader; said light apparatus configured so that said first light source emits a first light beams that passes through said beam spreader to project said alignment segment.

New parent Claim 27

New parent Claim 27 is non-obvious because it has the non-obvious limitations discuss above for claim 1 and it's dependent claims.

New dependent claim 28 is non-obvious

New dependent claim 28 is non-obvious for the reasons given above for claim 7.

New claim 29 is non-obvious

No reference suggests claim 29's pivoting mount.

Claim 30 is non-obvious.

The prior art does not suggest the limitation of the parent claim and claim 30.

New parent claim 31 is non-obvious

S/N: 10/ 657,293
Docket : TIC03-001
Reply to the Office action dated 04/25/05

Page 23

31 . (New) A golf putt training device comprising:
a light apparatus,
a base for supporting said light apparatus,
said base having alignment support means that enables said light apparatus to simultaneously project an alignment segment on a playing surface, and to project an aiming spot on said playing surface with said alignment segment being projected over said ball and a putter head, said alignment segment is comprised of at least one line segment;
whereby said alignment segment is used to align said putter head during a swing.

No reference or combination of references suggest claim 31's limitations.

Addressing all pending claims

It is believed that all the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of the unpatentability of the claim prior to its amendment.

CONCLUSION

In conclusion, reconsideration and withdrawal of the rejections are respectfully requested. Allowance of all claims is requested. Issuance of the application is requested.

It is requested that the Examiner telephone the undersigned attorney at (215) 670-2455 should there be anyway that we could help to place this Application in condition for Allowance.

Charge to Deposit Account

S/N: 10/ 657,293

Page 24

Docket : TIC03-001

Reply to the Office action dated 04/25/05

The Commissioner is hereby authorized to apply any fees or credits in this case, which are not already covered by check or credit card, to Deposit Account No. 502018 referencing this attorney docket. The Commissioner is also authorized to charge any additional fee under 37 CFR §1.16 and 1.17 to this Deposit Account.

Respectfully submitted,

Date: June 27, 2005 William J. Stoffel

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